

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

90TH LEGISLATIVE DAY

WEDNESDAY, APRIL 24, 2002

12:00 O'CLOCK NOON

No. 90
[Apr. 24, 2002]

The Senate met pursuant to adjournment.
 Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
 Prayer by Reverend Shawn W. Denney, St. Luke's Episcopal Church,
 Springfield, Illinois.
 Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, April 23, 2002, was being read when on motion of Senator W. Jones further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

The Report on the Rock Island County - Doyle's Addition/Andalusia Flood Hazard Mitigation Project, April 2002, submitted by the Department of Natural Resources pursuant to the Flood Control Act of 1945.

The foregoing report was ordered received and placed on file in the Secretary's Office.

EXCUSED FROM ATTENDANCE

On motion of Senator W. Jones, Senator Stone was excused from attendance due to family illness.

On motion of Senator Demuzio, Senator Clayborne was excused from attendance due to medical reasons.

LEGISLATIVE MEASURES FILED

The following floor amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 1 to Senate Bill 2302

The following floor amendments to the House Bills listed below have been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 1 to House Bill 4933
 Senate Amendment No. 1 to House Bill 4988

REPORTS FROM STANDING COMMITTEES

Senator Sieben, Chairperson of the Committee on Agriculture and Conservation to which was referred House Bills numbered 4438, 4889 and 4890 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Rauschenberger, Chairperson of the Committee on
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Appropriations to which was referred House Bills numbered 2137, 3439, 3463, 4581, 5351, 5383, 6169, 6170, 6172, 6173, 6175, 6178, 6181, 6184, 6188 and 6195 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Cronin, Chairperson of the Committee on Education to which was referred House Bills numbered 1436, 1720, 3672, 3673, 3744, 3938, 4037, 4117, 4466, 4912, 5939 and 6038 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Cronin, Chairperson of the Committee on Education to which was referred House Bills numbered 3774, 5343 and 5514 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Mahar, Chairperson of the Committee on Environment and Energy to which was referred House Bills numbered 4667, 5557, 5851 and 5961 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred House Bills numbered 3717, 4014, 4047, 4074, 4129, 4208, 4245, 4473, 5002, 5639, 5681, 5860, 5934 and 5941 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred House Bills numbered 136, 1961, 4081, 4321, 4353, 4354, 4720, 5076, 5578, 5625, 5657, 5794 and 5874 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Parker, Chairperson of the Committee on Transportation to which was referred House Bills numbered 3794, 4344, 4472, 4933, 4937, 4974, 5240 and 5255 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Parker, Chairperson of the Committee on Transportation to which was referred House Bills numbered 3713, 4365, 4948, 4953, 5615 and 6004 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

At the hour of 12:16 o'clock p.m., Senator Dudycz presiding.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

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SENATE BILL NO. 1808

A bill for AN ACT in relation to vehicles.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1808

Passed the House, as amended, April 23, 2002.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1808

AMENDMENT NO. 1. Amend Senate Bill 1808 on page 1, by replacing line 11 with "public school property"; and on page 1, line 29 by replacing "school property" with "public school property".

Under the rules, the foregoing Senate Bill No. 1808, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1830

A bill for AN ACT concerning telephone solicitation.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 1830

Passed the House, as amended, April 23, 2002.

ANTHONY D. ROSSI, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1830

AMENDMENT NO. 1. Amend Senate Bill 1830, on page 4, line 22, after "Act", by inserting "or to the extent, subject to the regulatory authority of the Federal Communications Commission, the entity is defined by Title 47 Section 522(5) of the United States Code, or providers of information services as defined by Title 47 Section 153(20) of the United States Code".

Under the rules, the foregoing Senate Bill No. 1830, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following conference committee report:

First Conference Committee Report to HOUSE BILL NO. 2207

Adopted by the House, April 23, 2002.

ANTHONY D. ROSSI, Clerk of the House

92ND GENERAL ASSEMBLY

[Apr. 24, 2002]

FIRST CONFERENCE COMMITTEE REPORT
ON HOUSE BILL 2207

To the President of the Senate and the Speaker of the House of Representatives:

We, the conference committee appointed to consider the differences between the houses in relation to Senate Amendments Nos. 1 and 2 to House Bill 2207, recommend the following:

1. that the Senate recede from Senate Amendments Nos. 1 and 2; and

2. that House Bill 2207 be amended by replacing everything after the enacting clause with the following:

"Section 1. Short Title. This Act may be cited as the Mortgage Certificate of Release Act.

Section 5. Definitions. As used in this Act:

"Mortgage" means a mortgage or mortgage lien on an interest in one-to-four family residential real property in this State given to secure a loan in the original principal amount of less than \$500,000. Trust deeds are not included.

"Mortgagee" means either: (i) the grantee of a mortgage; or (ii) if a mortgage has been assigned of record, the last person to whom the mortgage has been assigned of record.

"Mortgage servicer" means the last person to whom a mortgagor or the mortgagor's successor in interest has been instructed by a mortgagee to send payments on a loan secured by a mortgage. A person transmitting a payoff statement is the mortgage servicer for the mortgage described in the payoff statement.

"Mortgagor" means the grantor of a mortgage.

"Notice of intention to file certificate of release" means a statement from a title insurance company or title insurance agent to the person to whom payment of the loan secured by the mortgage was made in accordance with the payoff statement of the intention to record a certificate of release.

"Payoff statement" means a statement for the amount of the (i) unpaid balance of a loan secured by a mortgage, including principal, interest, and any other charges due under or secured by the mortgage; and (ii) interest on a per day basis for the unpaid balance.

"Record" means to deliver the certificate of release for recording with the county recorder.

"Title insurance agent" has the same meaning ascribed to it as in Section 3 of the Title Insurance Act.

"Title insurance company" has the same meaning ascribed to it as in Section 3 of the Title Insurance Act.

Section 10. Content and delivery of notice of intention to file certificate of release.

(a) The notice of intention to file a certificate of release shall state that if the title insurance company or title insurance agent does not receive from the mortgagee or mortgage servicer or its successor in interest either a release or a written objection to the issuance of a certificate of release pursuant to subsection (c) of this Section, a certificate of release may be delivered for recording to the recorder of each county in which the mortgage is recorded. A notice of intention to file a certificate of release should be in a form and include content that substantially complies with Section 65 of this Act. The notice of intention shall include a copy of the closing statement or HUD-1 form and the payoff check or a copy of it, or a copy of the wire transfer order.

(b) The notice of intention to file a certificate of release shall be sent by certified mail, return receipt requested, with postage prepaid, or by another service providing receipted delivery, no sooner than the day of closing and no later than 30 days after

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receipt of payment. The notice shall be delivered to the location identified in the payoff statement or as otherwise directed in writing by the mortgagee or mortgage servicer or its successor in interest. The notice may be sent with the payment, and need not be sent separately.

(c) Within 90 days after receipt of the notice of intention to file a certificate of release, the mortgagee or mortgage servicer or its successor in interest may issue a release or may object in writing to the issuance of a certificate of release, and by doing so shall prevent the title insurance company or title insurance agent from executing and recording a certificate of release pursuant to this Act. Any written objection submitted by the mortgagee or mortgage servicer or its successor in interest shall state the reason for which the release or certificate of release should not be issued. The written objection shall be sent to the title insurance company or title insurance agent by certified mail, return receipt requested, with postage prepaid, or by another service providing receipted delivery. A title insurance company or title insurance agent shall not cause a certificate of release to be recorded pursuant to this Section if the title insurance company or title insurance agent receives a written objection from the mortgagee or mortgage servicer or its successor in interest.

Section 15. Certificate of release. An officer or duly appointed agent of a title insurance company may, on behalf of a mortgagor or a person who has acquired from a mortgagor title to all or part of the property described in the mortgage, execute a certificate of release that complies with the requirements of this Act and record the certificate of release with the recorder of each county in which the mortgage is recorded, provided that payment of the loan secured by the mortgage was made in accordance with a written payoff statement furnished by the mortgagee or the mortgage servicer, that a satisfaction or release of the mortgage has not previously been recorded, and that a notice of intention to file a certificate of release was sent in accordance with Section 10.

Section 20. Contents of certificate of release. A certificate of release executed under this Act must contain substantially all of the following:

(a) The name of the mortgagor, the name of the original mortgagee, and, if applicable, the mortgage servicer at the date of the mortgage, the date of recording, and the volume and page or document number or other official recording designation in the real property records where the mortgage is recorded, together with similar information for the last recorded assignment of the mortgage.

(b) A statement that the mortgage was paid in accordance with the written payoff statement received from the mortgagee or mortgage servicer and there is no objection from the mortgagee or mortgage servicer or its successor in interest.

(c) A statement that the person executing the certificate of release is an officer or a duly appointed agent of a title insurance company authorized and licensed to transact the business of insuring titles to interests in real property in this State pursuant to subsections (2) and (3) of Section 3 of the Title Insurance Act.

(d) A statement that the certificate of release is made on behalf of the mortgagor or a person who acquired title from the mortgagor to all or a part of the property described in the mortgage.

(e) A statement that the mortgagee or mortgage servicer provided a written payoff statement.

Section 25. Execution. A certificate of release authorized by Section 15 must be executed and acknowledged as required by law, as in the case of a deed, and may be executed by an officer or a duly

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appointed agent of a title insurance company. The agent must be a currently registered title insurance agent of the title insurance company.

Section 30. Appointment of title insurance agent.

(a) The appointment of a title insurance agent must be executed and acknowledged as required by law, as in the case of a deed, and must state all of the following:

(1) the identity of the title insurance company as the principal;

(2) the identity of the person, partnership, limited partnership, limited liability company, limited liability partnership, or corporation authorized to act as title insurance agent to execute and record certificates of release provided for in this Act on behalf of the title insurance company;

(3) that the title insurance agent has the full authority to execute and record certificates of release provided for in this Act on behalf of the title insurance company;

(4) the term of appointment of the title insurance agent; and

(5) that the title insurance agent has consented to and accepts the terms of the appointment.

(b) The delegation to a title insurance agent by a title insurance company shall not relieve the title insurance company of any liability for actual damages as provided in Section 40.

(c) A title insurance company may create an instrument, executed by an officer of that company and acknowledged in the same manner as a deed, appointing one or more title insurance agents authorized to issue certificates of release under this Act. This instrument shall designate the county or counties in which it is to be effective and shall be recorded with the recorder in each each of those counties, either as an original instrument or by recording a copy certified by the recorder of one of the counties. A separate appointment of title insurance agent shall not be necessary for each certificate of release. The appointment of an agent may be re-recorded where necessary to establish authority of the agent, but the authority shall continue until a revocation of appointment is recorded in the office of the recorder where the appointment of title insurance agent was recorded or on the date, if any, in the recorded appointment document.

Section 35. Effect of recording certificate of release. For purposes of releasing the lien of the mortgage, a certificate of release containing the information and statements provided for in Section 20 and executed as provided in Section 25 is prima facie evidence of the facts contained therein, and upon being recorded with the recorder, shall constitute a release of the lien of the mortgage described in the certificate of release. The title insurance company or title insurance agent recording the certificate of release may use the recording fee collected for the recording of a release or satisfaction of the mortgage to effect the recording of the certificate of release.

Section 40. Wrongful or erroneous certificate of release. Recording of a wrongful or erroneous certificate of release by a title insurance company or its title insurance agent shall not relieve the mortgagor or the mortgagor's successors or assignees from any personal liability on the loan or other obligations secured by the mortgage. In addition to any other remedy provided by law, a title insurance company executing or recording a certificate of release under this Act that has actual knowledge that the information and statements contained therein are false is liable to the mortgagee for actual damages sustained due to the recording of the certificate

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of release. The prevailing party in any action or proceeding seeking actual damages due to the recording of a certificate of release shall be entitled to the recovery of reasonable attorneys fees and costs incurred in that action or proceeding.

Section 45. Recording. If a mortgage is recorded in more than one county and a certificate of release is recorded in one of them, a certified copy of the certificate of release may be recorded in another county with the same effect as the original. In all cases, the certificate of release shall be entered and indexed where satisfactions or releases of mortgage are entered and indexed.

Section 50. Form of certificate of release. A certificate of release in substantially the following form complies with this Act.

CERTIFICATE OF RELEASE

Date:..Title Order No.:...

1. Name of mortgagor(s):...

2. Name of original mortgagee:...

3. Name of mortgage servicer (if any):...

4. Name of last assignee of mortgage or record (if any):...

5. Mortgage recording: Vol.:...Page:...or Document No.:...

6. Last assignment recording (if any):

Vol.:...Page:...or Document No.:...

7. The above referenced mortgage has been paid in accordance with the payoff statement received from..., and there is no objection from the mortgagee or mortgage servicer or its successor in interest to the recording of this certificate of release.

8. The person executing this certificate of release is an officer or duly appointed agent of a title insurance company authorized and licensed to transact the business of insuring titles to interests in real property in this State pursuant to Section 30 of this Act.

9. This certificate of release is made on behalf of the mortgagor or a person who acquired title from the mortgagor to all or part of the property described in the mortgage.

10. The mortgagee or mortgage servicer provided a payoff statement.

11. The property described in the mortgage is as follows:

Permanent Index Number:...

Common Address:...

(Name of title insurance company)

By:...

(Name of officer and title or name of agent and name of officer / representative thereof)

Address:...

Telephone No.:...

State of Illinois)

)

County of)

This instrument was acknowledged before me on ...(date) by ...(name of person) as ...(officer for / agent of) ...(title insurance company).

...

Notary Public

My commission expires on...

Section 55. Form of appointment of title insurance agent for issuance of certificates of release. A title insurance company shall use the following form for the appointment of its title insurance agents for the purpose of executing certificates of release pursuant to this Act.

APPOINTMENT OF TITLE INSURANCE AGENT OR AGENTS FOR ISSUANCE OF

CERTIFICATES OF RELEASE

... (name of title insurance company) appoints ...

(name of title insurance agent or agents) to act as its agent or

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agents for the purpose of executing and delivering for recording certificates of release as provided by the Mortgage Certificate of Release Act. This appointment shall commence on ... (date) and (select one) continue until revoked as provided by that Act / terminate on ... (date). The agent or agents appointed has/have consented to and accept the terms of this appointment.

Dated this ... (date).

By:

... (title insurance company)
 ... (signature)
 ... (typed / printed name & title)
 ... (address)
 ... (telephone number)
 State of Illinois)

County of)

This instrument was acknowledged before me on ... (date)

by ... (name of person) as ... (officer for / agent of)

... (title insurance company).

...

Notary Public

My commission expires on...

Section 60. Form of revocation of appointment of title insurance agent or agents for issuance of certificates of release. A title insurance company shall use the following form for the purpose of revoking the appointment of its title insurance agent's authorization for executing certificates of release pursuant to this Act.

REVOCATION OF APPOINTMENT OF TITLE INSURANCE

AGENT OR AGENTS FOR

ISSUANCE OF CERTIFICATES OF RELEASE

.. (name of title insurance company) revokes the appointment of ... (name of title insurance agent or agents) to act as its agent for the purpose of executing and delivering for recording certificates of release as provided by the Mortgage Certificate of Release Act. This Revocation shall be effective upon the recording in each county, or on ... (date), if subsequent to recording. A copy of this Revocation has been delivered to the named title insurance agent or agents by certified U. S. mail, return receipt requested, at the following address or addresses:

... (name of title insurance agent)
 ... (address)

Dated this ... (date).

By:

... (title insurance company)
 ... (signature)
 ... (typed / printed name & title)
 ... (address)
 ... (telephone number)
 State of Illinois)

County of)

This instrument was acknowledged before me on ... (date)

by ... (name of person) as ... (officer for / agent of)

... (title insurance company).

...

Notary Public

My commission expires on...

Section 65. Form of notice of intention to file certificate of release. A notice of intention to file certificate of release shall be in the following form. Use of a form substantially similar to

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this form complies with this Act.

NOTICE OF INTENTION TO FILE CERTIFICATE OF RELEASE

(Name of title insurance company or title insurance agent), authorized to issue certificates of release, having participated in the real estate closing resulting in the funding of the payoff of the mortgage originally recorded as Document No. . . , or Book at page or other filing made to (name of original mortgagee) hereby gives this notice of intention to file certificate of release. If, within 90 days from the receipt of this notice by you, we have not received a release or satisfaction of the mortgage or an objection to the issuance of a certificate of release, we may record a certificate of release of this mortgage with the office of the recorder.

Enclosed is a copy of the closing statement or HUD-1 form and the payoff check or a copy of it, or copy of the wire transfer order.

Dated: (Insert date)

By: (Title Insurance Company or Title Insurance Agent as authorized agent of title insurance company)

By: (Name of officer of title insurance company or authorized title insurance agent)

(signed) ..

Section 90. Repeal. This Act is repealed on January 1, 2004. A certificate of release executed during the period in which this Act is in effect is valid and entitled to recording. Any certificate of release of record is effective as provided in Section 35 of this Act.

Section 95. The Mortgage Act is amended by changing Section 2 as follows:

(765 ILCS 905/2) (from Ch. 95, par. 52)

Sec. 2. Every mortgagee of real property, his assignee of record, or other legal representative, having received full satisfaction and payment of all such sum or sums of money as are really due to him from the mortgagor, and every trustee, or his successor in trust, in a deed of trust in the nature of a mortgage, the notes, bonds or other indebtedness secured thereby having been fully paid before September 7, 1973, shall, at the request of the mortgagor, or grantor in a deed of trust in the nature of a mortgage, his heirs, legal representatives or assigns, in case such mortgage or trust deed has been recorded or registered, make, execute and deliver to the mortgagor or grantor in a deed of trust in the nature of a mortgage, his heirs, legal representatives or assigns, an instrument in writing executed in conformity with the provisions of this section releasing such mortgage or deed of trust in the nature of a mortgage, which release shall be entitled to be recorded or registered and the recorder or registrar upon receipt of such a release and the payment of the recording fee therefor shall record or register the same.

Mortgages of real property and deeds of trust in the nature of a mortgage shall be released of record only in the manner provided herein or as provided in the Mortgage Certificate of Release Act; however, nothing contained in this Act shall in any manner affect the validity of any release of a mortgage or deed of trust made prior to January 1, 1952 on the margin of the record.

Every mortgagee of real property, his assignee of record, or other legal representative, having received full satisfaction and payment of all such sum or sums of money as are really due to him from the mortgagor, and every trustee, or his successor in trust, in a deed of trust in the nature of a mortgage, the notes, bonds or other indebtedness secured thereby having been fully paid after September 7, 1973, shall make, execute and deliver to the mortgagor or grantor in a deed of trust in the nature of a mortgage, his heirs, legal representatives or assigns, an instrument in writing releasing such mortgage or deed of trust in the nature of a mortgage or shall

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deliver that release to the recorder or registrar for recording or registering. If the release is delivered to the mortgagor or grantor, it must have imprinted on its face in bold letters at least 1/4 inch in height the following: "FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE MORTGAGE OR DEED OF TRUST WAS FILED". The recorder, or registrar, upon receipt of such a release and the payment of the recording or registration fee, shall record or register the release.

(Source: P.A. 83-358.)

Section 99. Effective date. This Act takes effect upon becoming law."

Submitted on April 10, 2002.

s/Sen. Thomas Walsh

s/Sen. Carl Hawkinson

s/Sen. Kirk Dillard

Sen. John Cullerton

s/Sen. Barack Obama

Committee for the Senate

s/Rep. Robert Bugielski

s/Rep. Barbara Currie

Rep. Daniel Burke

s/Rep. Art Tenhouse

s/Rep. James Meyer

Committee for the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO 929

A bill for AN ACT concerning medical examinations.

SENATE BILL NO 1527

A bill for AN ACT in relation to alcoholic liquor.

SENATE BILL NO 1530

A bill for AN ACT in relation to vehicles.

SENATE BILL NO 1531

A bill for AN ACT to honor and commemorate the victims of the terrorist attacks on September 11, 2001.

SENATE BILL NO 1683

A bill for AN ACT in relation to the Metropolitan Water Reclamation District.

SENATE BILL NO 1695

A bill for AN ACT concerning port districts.

SENATE BILL NO 1713

A bill for AN ACT in relation to criminal law.

SENATE BILL NO 1806

A bill for AN ACT concerning the humane care of animals.

Passed the House, April 23, 2002.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO 1926

A bill for AN ACT concerning identification.

SENATE BILL NO 1996

A bill for AN ACT concerning insurance.

SENATE BILL NO 2161

A bill for AN ACT in relation to vehicles.

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Passed the House, April 23, 2002.

ANTHONY D. ROSSI, Clerk of the House

Senator Smith announced that there will be a Democrat caucus at 4:00 o'clock p.m.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Karpiel, House Bill No. 1081 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Donahue, House Bill No. 3119 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Karpiel, House Bill No. 3697 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, House Bill No. 4188 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, House Bill No. 4339 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, House Bill No. 4371 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Insurance and Pensions, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 4371 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by adding Section 143.24c and changing Section 424 as follows:

(215 ILCS 5/143.24c new)

Sec. 143.24c. Hate crimes; coverage refusal.

(a) This Section applies to policies of insurance if the insured or proposed insured is (1) an individual, (2) a religious organization described in clause (i) of subparagraph (A) of paragraph (1) of subsection (b) of Section 170 of Title 26 of the United States Code, (3) an educational organization described in clause (ii) of subparagraph (A) of paragraph (1) of subsection (b) of Section 170 of Title 26 of the United States Code, or (4) any other nonprofit organization described in clause (vi) of subparagraph (A) of paragraph (1) of subsection (b) of Section 170 of Title 26 of the United States Code that is organized and operated for religious, charitable, or educational purposes.

(b) An insurer issuing policies subject to this Section may not cancel, refuse to issue, or refuse to renew the policy solely on the basis that one or more claims have been made against any policy during the preceding 60 months for a loss that is the result of a hate crime committed against the person or property insured if the insured provides evidence to the insurer that the act causing the loss is identified as a hate crime on a police report.

(c) As it relates to this Section, if determined by a law enforcement agency, a "hate crime" may include any of the following:

(1) By force or threat of force, willfully injuring, intimidating, interfering with, oppressing, or threatening any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of

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this State or by the Constitution or laws of the United States because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation or because he or she perceives that the other person has one or more of those characteristics. This offense, however, does not include speech alone, except upon a showing that the speech itself threatened violence against a specific person or group of persons and that the defendant had the apparent ability to carry out the threat.

(2) Knowingly defacing, damaging, or destroying the real or personal property of any other person for the purpose of intimidating or interfering with the free exercise or enjoyment of any right or privilege secured to the other person by the Constitution or laws of this State or by the Constitution or laws of the United States because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation or because he or she perceives that the other person has one or more of those characteristics.

(d) Nothing in this Section prevents an insurer subject to this Section from taking any of the actions specified in subsection (b) on the basis of criteria not otherwise made invalid by this Section or any other law or rule.

(215 ILCS 5/424) (from Ch. 73, par. 1031)

Sec. 424. Unfair methods of competition and unfair or deceptive acts or practices defined. The following are hereby defined as unfair methods of competition and unfair and deceptive acts or practices in the business of insurance:

(1) The commission by any person of any one or more of the acts defined or prohibited by Sections 134, 143.24c, 147, 148, 149, 151, 155.22, 155.22a, 236, 237, 364, and 469 of this Code.

(2) Entering into any agreement to commit, or by any concerted action committing, any act of boycott, coercion or intimidation resulting in or tending to result in unreasonable restraint of, or monopoly in, the business of insurance.

(3) Making or permitting, in the case of insurance of the types enumerated in Classes 1, 2, and 3 of Section 4, any unfair discrimination between individuals or risks of the same class or of essentially the same hazard and expense element because of the race, color, religion, or national origin of such insurance risks or applicants. The application of this Article to the types of insurance enumerated in Class 1 of Section 4 shall in no way limit, reduce, or impair the protections and remedies already provided for by Sections 236 and 364 of this Code or any other provision of this Code.

(4) Engaging in any of the acts or practices defined in or prohibited by Sections 154.5 through 154.8 of ~~the this Insurance~~ Code.

(5) Making or charging any rate for insurance against losses arising from the use or ownership of a motor vehicle which requires a higher premium of any person by reason of his physical handicap, race, color, religion, or national origin.

(Source: P.A. 92-399, eff. 8-16-01; revised 12-07-01.)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Donahue, House Bill No. 4454 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Donahue, House Bill No. 4457 was taken up,

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read by title a second time and ordered to a third reading.

On motion of Senator Rauschenberger, House Bill No. 4465 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, House Bill No. 4795 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, House Bill No. 5368 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 5368 on page 1 by replacing everything after the enacting clause with the following:

"(60 ILCS 1/60-5)

Sec. 60-5. Filling vacancies in township offices. Except for the office of township or multi-township assessor, if a township fails to elect the number of township officers that the township is entitled to by law, or a person elected to any township office fails to qualify, or a vacancy in any township office occurs for any other reason, then the township board shall fill the vacancy by appointment, by warrant under their signatures and seals, and the persons so appointed shall hold their respective offices for the remainder of the unexpired terms. No office holder vacating his or her office shall be eligible to vote for his or her replacement. If a township clerk vacates his or her office upon death or at the time of his or her resignation or removal from office, then the township board shall appoint an interim clerk until a permanent replacement can be appointed. All persons so appointed shall have the same powers and duties and are subject to the same penalties as if they had been elected or appointed for a full term of office. A vacancy in the office of township or multi-township assessor shall be filled only as provided in the Property Tax Code.

If a vacancy on the township board is not filled within 60 days, then a special township meeting must be called under Section 35-5 to select a replacement under Section 35-35.

Except as otherwise provided in this Section, whenever any township or multi-township office becomes vacant or temporarily vacant due to a physical incapacity of a township officer, the township or multi-township board may temporarily appoint a deputy to perform the ministerial functions of the vacant office until the physically incapacitated township officer submits a written statement to the appropriate board that he or she is physically able to perform his or her duty. The statement shall be sworn to before an officer authorized to administer oaths in this State. A temporary deputy shall not be permitted to vote at any meeting of the township board on any matter properly before the board. The compensation of a temporary deputy shall be determined by the appropriate board. The township board shall not appoint a deputy clerk if the township clerk has appointed a deputy clerk under Section 75-45.

Any person appointed to fill a vacancy under this Section shall be a member of the same political party as the person vacating the office if the person vacating the office was elected as a member of an established political party, under Section 10-2 of the Election Code, that is still in existence at the time of appointment. The appointee shall establish his or her political party affiliation by his or her record of voting in party primary elections or by holding or having held an office in a political party organization before

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appointment. If the appointee has not voted in a party primary election or is not holding or has not held an office in a political party organization before the appointment, then the appointee shall establish his or her political party affiliation by his or her record of participating in a political party's nomination or election caucus.

(Source: P.A. 90-748, eff. 8-14-98.)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Lauzen, House Bill No. 5608 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Radogno, House Bill No. 5654 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 5654 on page 1, below line 27, by inserting the following:

"The protocol shall not interfere with reasonable attempts to preserve life, attempt resuscitation, or provide necessary medical services."

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Dillard, House Bill No. 5803 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend House Bill 5803 on page 2, by replacing lines 10 through 12 with "used vehicle dealers, rebuilders, automotive parts recyclers, scrap processors, or out-of-state salvage vehicle buyers licensed by the Secretary of State or licensed by another jurisdiction may buy property at the auction, or to sales by or through the licensee."; and on page 2, line 18, by replacing "that provides" with "while providing"; and

on page 3, by replacing lines 25 and 26 with the following:

"(3) the personal property or services offered for sale or lease are located or will be provided in the State of Illinois."; and

on page 6, line 13, by inserting "or" after the semicolon; and

on page 6, by deleting lines 14 through 19; and

on page 6, line 20, by replacing "(9)" with "(8)".

There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Sieben, House Bill No. 5842 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Parker, House Bill No. 5870 was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Rauschenberger, House Bill No. 6001 was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, House Bill No. 6002 was taken up, read by title a second time and ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Cullerton, House Bill No. 173 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpier
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw

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Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Myers, House Bill No. 1006 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpiel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz

[Apr. 24, 2002]

Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Peterson, House Bill No. 1815 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon

[Apr. 24, 2002]

Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bomke, House Bill No. 3210 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles

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Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpiel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives

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thereof and ask their concurrence in the Senate Amendment adopted thereto.

On motion of Senator Noland, House Bill No. 3629 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 54; Nays 1.

The following voted in the affirmative:

Bomke
Bowles
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpiel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Stone
Sullivan
Syverson
Trotter

[Apr. 24, 2002]

Viverito
Walsh, L.
Walsh, T.
Watson
Welch
Woolard

The following voted in the negative:

Rauschenberger

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bowles, House Bill No. 3645 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 55; Nays 1.

The following voted in the affirmative:

Bomke
Bowles
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpziel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker

[Apr. 24, 2002]

Peterson
 Petka
 Radogno
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The following voted in the negative:

Rauschenberger

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sullivan, House Bill No. 3652 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpier
 Klemm

[Apr. 24, 2002]

Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Peterson, House Bill No. 3775 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None; Present 1.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cronin
 Cullerton
 DeLeo

[Apr. 24, 2002]

del Valle
 Demuzio
 Dillard
 Donahue
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

The following voted present:

Dudycz

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

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On motion of Senator Philip, House Bill No. 4044 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpiel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.

[Apr. 24, 2002]

Walsh, T.
Watson
Weaver
Welch
Woollard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Radogno, House Bill No. 4053 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 55; Nays 1.

The following voted in the affirmative:

Bomke
Bowles
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Ronen

[Apr. 24, 2002]

Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

The following voted in the negative:

Burzynski

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hawkinson, House Bill No. 4194 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Klemm
Lauzen
Lightford
Link
Luechtefeld

[Apr. 24, 2002]

Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woollard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Parker, House Bill No. 4229 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 55; Nays 2.

The following voted in the affirmative:

Bomke
 Bowles
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis

[Apr. 24, 2002]

Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

The following voted in the negative:

Burzynski
Rauschenberger

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Radogno, House Bill No. 4531 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpiel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch

[Apr. 24, 2002]

Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator T. Walsh, House Bill No. 4618 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays 1.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid

[Apr. 24, 2002]

Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Woolard
 Mr. President

The following voted in the negative:

Welch

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator O'Daniel, House Bill No. 4911 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpiel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar

[Apr. 24, 2002]

Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Petka, House Bill No. 4936 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson

[Apr. 24, 2002]

Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Klemm, House Bill No. 5004 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

[Apr. 24, 2002]

Bomke
Bowles
Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpier
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard
Mr. President

This bill, having received the vote of a constitutional majority
of the members elected, was declared passed, and all amendments not

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adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Geo-Karis, House Bill No. 5648 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan

[Apr. 24, 2002]

Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator O'Malley, House Bill No. 5663 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley

[Apr. 24, 2002]

Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woollard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Hawkinson, House Bill No. 5700 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cronin
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard
 Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpiel
 Klemm
 Lauzen

[Apr. 24, 2002]

Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Geo-Karis, House Bill No. 5720 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 56; Nays None.

The following voted in the affirmative:

Bomke
 Bowles
 Burzynski
 Cullerton
 DeLeo
 del Valle
 Demuzio
 Dillard

[Apr. 24, 2002]

Donahue
 Dudycz
 Geo-Karis
 Halvorson
 Hawkinson
 Hendon
 Jacobs
 Jones, E.
 Jones, W.
 Karpel
 Klemm
 Lauzen
 Lightford
 Link
 Luechtefeld
 Madigan
 Mahar
 Maitland
 Molaro
 Munoz
 Myers
 Noland
 Obama
 O'Daniel
 O'Malley
 Parker
 Peterson
 Petka
 Radogno
 Rauschenberger
 Ronen
 Roskam
 Shadid
 Shaw
 Sieben
 Silverstein
 Smith
 Sullivan
 Syverson
 Trotter
 Viverito
 Walsh, L.
 Walsh, T.
 Watson
 Weaver
 Welch
 Woolard
 Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sieben, House Bill No. 5732 having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in

[Apr. 24, 2002]

the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan
Mahar
Maitland
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Smith
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch
Woolard

[Apr. 24, 2002]

Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 12:59 o'clock p.m., on motion of Senator Geo-Karis, the Senate stood adjourned until Thursday, April 25, 2002 at 10:30 o'clock a.m.

[Apr. 24, 2002]